

Amendments to Specification

ABSTRACT

A window vent stop for use in a sliding sash window assembly or a sliding door assembly. ~~The vent stop~~ has a housing adapted to be disposed in a recess in ~~the~~ a non-movable sash member. ~~This housing includes a cavity with a bottom plate therein. In addition, the~~ The housing includes a tumbler, which is spring biased. The tumbler has at least one pivot for pivotally securing the tumbler to the housing for movement between an extended position, to prevent movement of the sliding member, and a retracted position, to allow movement of the sliding member. Also within the housing is a spring for biasing the tumbler. The tumbler has a first locking member that contacts a second locking member on [the] a release member when the tumbler is in a retracted position and the first locking member does not contact the second locking member when the tumbler is in the an extended position. The release member has a head in the form of an inverted "U", the release member being in the shape of an inverted "T" and the release member pivots about first and second pins. Also contained within the housing is a button. A pin on an underside of the button contacts a top surface of the release member.

The applicant amends the paragraph starting at line 5 of page 1 to read:

The present invention relates to improved window vent stops particularly for double hung windows and the like and to improvements in their operation. These window vent stops are used to prevent a window or door from opening more than a desired amount.

The applicant amends the paragraph starting at line 17 of page 1 to read:

There are many different types of windows currently available. These windows include casement windows, transom windows, single hung ~~window~~ windows, double hung windows, sliding windows, etc. Double hung windows are windows that have a pair of window sashes that may be raised and lowered. Each sash resides in a pair of tracks or recesses that are typically at each side edge of the window. This permits the lower sash to be raised and the upper sash to be lowered. Traditionally, most windows were made of wood. ~~more~~ More recently, the windows including the window sashes have been made of extruded metal or plastic.

The applicant amends the paragraph starting at line 6 of page 2 to read:

Double hung windows, single hung windows, sliding windows and sliding doors have a variety of open positions in which they may be placed. While a fully opened position can be desirable for ventilation purposes there can be a downside to the fully opened position. One downside is security. A fully open window or door, however, can be a location for unauthorized ingress and egress from the premises. For example, a double hung window that is opened wide can be a source of danger to small children who may climb up to the window. As a result, many municipalities have enacted laws requiring window guards. Additionally, an opened window or

Application No. 10/623,120

door can provide an invitation to third parties to gain access to the building. As a result, there are a number of vent stops that are available to secure a window or door having sliding members in a partially opened position. One such stop is shown in United States Patent No. 5,248,174 owned by Ashland Products. Another sash stop is shown in United States Patent No. 4,923,230 owned by Ro Mai. In each of these sash stops there is a spring biased tumbler or dog that pivots from an unlocked position to a locked position as desired. These sash locks are positioned in the frame of the upper sash and when the tumbler is pivoted outwardly the position of the tumbler prevents the lower sash from being raised above a preselected position. Other prior art patents for similar products [a] are United States Patent Nos. 5,553,903 and 5,806,900 both of which are owned by Ashland.

The applicant amends the paragraph starting at line 1 of page 3 to read:

The typical prior art sash lock operates by a tumbler that is activated by pushing downwardly on the tumbler. The tumbler in the prior art sash locks has a catch portion that contacts the underside of the sash lock housing in a closed position. When the sash lock is intended to be activated, the tumbler is moved in a transverse direction opposite the location of the catch portion to release the catch from the housing. The spring in the sash lock causes the tumbler to be raised into an activated position to lock the sash or door in position.

~~and moving the tumbler in a transverse direction to activate the operation of the tumbler.~~

The applicant amends the paragraph starting at line 8 of page 3 to read:

One of the problems in the operation of the prior art sash locks is that it is frequently difficult for the user to move the tumbler away from the housing to release the tumbler from its recessed position. This is particularly true where the spring that causes the tumbler to be raised is new and/or relatively strong. Many times, the user finds it difficult to maneuver the tumbler away from the housing to release the tumbler. Although many tumblers are provided with surfaces that increase the user's ability to move the tumbler, ~~this surface is~~ these surfaces are frequently insufficient to overcome the difficulties of the prior art vent locks.

The applicant amends the paragraph starting at line 20 of page 3 to read:

While the vent stops of the prior art are generally satisfactory in operation there is also a need for improved vent stops. The problems of the prior art stops [is] are solved by the vent stop of the present invention which ~~operate~~ operates in a unique manner compared to the traditional sash locks.

The applicant amends the paragraph starting at line 4 of page 4 to read:

It is an object of the present invention to provide an improved vent ~~stops~~ stop that is more dependable in its operation than the prior art vent stops.

The applicant amends the paragraph starting at line 16 of page 4 to read:

The present invention is directed to an improved vent stop or sash lock for use in a sliding sash window assembly or a sliding door assembly. The window may have one or more

Application No. 10/623,120

sashes usually an upper and lower sash window frames installed for vertical sliding movement. Alternatively, the window may have [a] left and right horizontal sliding sashes. The door may also have one or more sliding doors. One sash frame or sliding door frame has a recess into the interior thereof. The vent stop has a housing adapted to be disposed in the recess.

The applicant amends the paragraph starting at line 20 of page 5 to read:

Figure 3 is [an] a top view of the housing of Figure 1.

The applicant amends the paragraph starting at line 21 of page 5 to read:

Figure 4 is a side view of the ~~of the~~ opposite side of the housing of Figure 2.

The applicant amends the paragraph starting at line 23 of page 5 to read:

Figure 5 is an end view of the housing of the vent stop of ~~Figure 1~~ Figure 1.

The applicant amends the paragraph starting at line 3 of page 6 to read:

Figure 7 is a ~~perspective~~ side view of the ~~vent stop~~ tumbler of the vent stop of Figure 1 ~~with the tumbler removed.~~

The applicant amends the paragraph starting at line 5 of page 6 to read:

Figure 8 is a side top view of the tumbler of the ~~vent stop of the present invention~~ Figure 7.

Application No. 10/623,120

The applicant amends the paragraph starting at line 7 of page 6 to read:

~~Figure 9 is a cross-sectional view of the tumbler of Figure 6.~~

The applicant amends the paragraph starting at line 8 of page 6 to read:

Figure [10] 9 is a ~~cross-sectional~~ an end view of the tumbler of Figure [8] 7 taken ~~from~~
~~direction C~~ along A-A.

The applicant amends the paragraph starting at line 10 of page 6 to read:

Figure [11] 10 is a perspective view of the tumbler of Figure [8] 7.

The applicant amends the paragraph starting at line 11 of page 6 to read:

Figure [12] 11 is a ~~perspective~~ side view of the ~~tumbler~~ release mechanism of the vent
stop of Figure [8] 1.

The applicant amends the paragraph starting at line 12 of page 6 to read:

Figure [13] 12 is a ~~side~~ an end view of the release mechanism ~~of the vent stop~~ of Figure
[1] 11.

The applicant amends the paragraph starting at line 14 of page 6 to read:

Figure [14] 13 is ~~an end~~ a top view of the release mechanism of Figure [13] 11.

Application No. 10/623,120

The applicant amends the paragraph starting at line 15 of page 6 to read:

Figure [15] 14 is a side perspective view of a portion of the top of the release mechanism of Figure [10] 11.

The applicant amends the paragraph starting at line 17 of page 6 to read:

Figure [16] 15 is a perspective view of the ~~release mechanism~~ spring of the vent stop of Figure [10] 1.

The applicant amends the paragraph starting at line 18 of page 6 to read:

Figure [17] 16 is a side view of the spring of ~~the vent stop~~ of Figure [1] 15.

The applicant amends the paragraph starting at line 19 of page 6 to read:

~~Figure 17A is a horizontal view of the spring of Figure 17.~~

The applicant amends the paragraph starting at line 20 of page 6 to read:

Figure [18] 17 is ~~an end~~ a top view of the spring of Figure [17] 15.

The applicant amends the paragraph starting at line 21 of page 6 to read:

Figure [19] 18 is a perspective view of the releasing button of the vent stop of Figure 1.

The applicant amends the paragraph starting at line 23 of page 6 to read:

Figure [20] 19 is a top view of the button of Figure [19] 18.

The applicant amends the paragraph starting at line 1 of page 7 to read:

Figure [21] 20 is a side view of the button of Figure [19] 18.

The applicant amends the paragraph starting at line 2 of page 7 to read:

Figure [22] 21 is a bottom view of the button of Figure [19] 18.

The applicant amends the paragraph starting at line 3 of page 7 to read:

Figure [23] 22 is an end view of the button of Figure [19] 18.

The applicant amends the paragraph starting at line 4 of page 7 to read:

Figure [24] 23 is a cutaway view of the button of Figure [19] 18 taken along C-C B-B of Figure [21] 20.

The applicant amends the paragraph starting at line 6 of page 7 to read:

Figure [25] 24 is an enlarged view of the portion [A] H of Figure [21] 20.

The applicant amends the paragraph starting at line 7 of page 7 to read:

Figure [26] 25 is an enlarged view of the portion [B] I of Figure [21] 20.

The applicant amends the paragraph starting at line 8 of page 7 to read:

Figure [27] 26 is a side view of the button of Figure [19] 18 opposite the side of Figure

Application No. 10/623,120

[21] 20.

The applicant amends the paragraph starting at line 10 of page 7 to read:

Figure [28] 27 is a side sectional view of the vent stop of the present invention with the tumbler in a recessed position.

The applicant amends the paragraph starting at line 12 of page 7 to read:

Figure [29] 28 is a side view of the vent stop of Figure [28] 27 in solid form.

The applicant amends the paragraph starting at line 13 of page 7 to read:

Figure [30] 29 is a top view of the vent stop of Figure [29] 28.

The applicant amends the paragraph starting at line 14 of page 7 to read:

Figure [31] 30 is a perspective view of the vent stop of Figure [29] 28.

The applicant amends the paragraph starting at line 15 of page 7 to read:

Figure [32] 31 is an end view of the vent stop of Figure [29] 28.

The applicant amends the paragraph starting at line 16 of page 7 to read:

Figure [33] 32 is an example of the present invention mount on a sliding window.

The applicant amends the paragraph starting at line 17 of page 7 to read:

Figure [34] 33 is an example of the present invention mount on a sliding door.

The applicant amends the paragraph starting at line 20 of page 7 to read:

The window or door assembly that may employ the vent stop of the present invention may be a conventional double hung window, a single hung window, sliding window, sliding door and the like. For convenience the present invention will be described with reference to a double hung window but the same applies to each of the above other types of windows and doors having at least one sliding member. The double hung window usually includes upper and lower sash window frames, that are provided with suitable glazing to protect and bed the glass. The sashes are conventionally mounted within a main jamb frame for vertical reciprocal sliding movement therein. Sliding windows and doors are mounted for horizontal reciprocal sliding. Both the jamb frame and the sashes ~~and~~ can be formed of different materials, such as metal or strong and rigid plastics well known in this field. The sashes ~~and~~ are preferably fabricated from elongate framing members of hollow configuration and are generally rectangular in cross-section and rectilinear in configuration, but the shapes and configurations can vary. The upper sash includes a stile, and the lower sash includes a header having an upper exterior surface. The vent stop of the present invention is designated generally in ~~FIG. 14 and 15~~ Figures 1 and 2 by reference numeral 10. This vent stop may be installed in the exterior front surface of the sash stile, ~~and~~ engaging the upper exterior surface of the header of the lower sash, in its locking position. It will be appreciated that the vertical location of the vent stop in the stile will depend upon the amount of vertical movement of the lower sash that is desired before the upper header surface engages the vent stop.

The applicant amends the paragraph starting at line 16 of page 8 to read:

The vent stop 10 includes a housing 11 shown in Figure 1 that ~~that~~ 1 that retains the mechanism of the stop. The housing 11 is installed in an opening or recess in the front surface of the sash stile. The housing 11 may have a front wall 12, rear wall 13 and side walls 14 and 15. On the top surface of the housing is a faceplate 16 which has a lip portion [17] 26 that overlaps the peripheral edge of the recess to support the housing 11 therein and to furnish an attractive exterior appearance and protect any rough edges in the opening in the sash stile. The front wall 12, the rear wall 13 and the side walls 14 and 15 extend downwardly from the ~~under-surface lip~~ portion 26 of the faceplate 16. The side walls 14 and 15 are each provided with an opening 17 and 18 respectively for receiving pivot members 19 and 20 on the tumbler 21. It will be appreciated that alternatively, the tumbler 21 may be provided with openings 17 and 18 and the housing with the pivot members 19 and 20. Similarly, although the openings 17 and 18 preferably extend completely through the sidewall of the housing they do not have to, provided the opening is deep enough to retain the pivot members in position.

The applicant amends the paragraph starting at line 6 of page 9 to read:

The side walls 14 and 15 of the housing are also provided with [a] recessed ~~track~~ tracks 22 and 23. The recessed track is generally in the form of an arc and the track is intended to receive retaining members 24 and 25 that extend from the tumbler [60] 21. The retaining members 24 and 25 typically govern the amount of travel permitted to the tumbler and help retain the tumbler within the housing. As was the case with the openings 17 and 18, the tumbler

21 may alternatively be provided with the recessed tracks 22 and 23. In such embodiment, the interior of the side walls 14 and 15 of the housing may be provided with the retaining members 24 and 25.

The applicant amends the paragraph starting at line 13 of page 9 to read:

Also contained within the housing 11 is the button 27. The button 27 has a top surface 28 that the operator manipulates in operating the vent lock. Typically, the button 27 is pushed inwardly to pivot the release member 29. The pin 32 on the underside of the button 27 contacts the top surface 33 of the release member 29. As the release member 29 pivots, the head 30 moves upwardly thereby releasing the tip [32] 31 of the tumbler [31] 21. When the head 30 rises off of the tip [32] 31, the spring [33] 60 forces the tumbler 21 upwardly ~~in to~~ into a locking position. The release member 29 is provided with a first pin 34 and a second pin 35 that may be received by orifices 36 and 37 in the sidewalls 14 and 15 of the housing 11.

The applicant amends the paragraph starting at line 21 of page 9 to read:

The tumbler 21 is preferably provided with a recessed portion 38 for receiving one end 39 of the spring [33] 60. The tumbler has a front portion 40 and a rear portion 41. The first tip [32] 31 rises upwardly when the tumbler 21 is released and contacts the underside 45 of the ~~top surface~~ faceplate 16 of the housing 11. The second tip 42 of the front portion 40 extends upwardly above the ~~top surface~~ faceplate 16 of the vent stop housing 11 and prevents the sash from moving while the tumbler 21 is raised. The rear portion 41 of the tumbler has a generally flat surface 43 that contacts tab 44 that extends downwardly from the underside 45 of the ~~top~~

Application No. 10/623,120

surface faceplate 16. This tab 44 provides additional support to further prevent the tumbler 21 from extending a further distance from the housing 11.

The applicant amends the paragraph starting at line 6 of page 10 to read:

The release member 29 is preferably generally in the shape of an inverted "T". There is a head 30 that is generally in the form of an inverted "U" having a strike surface 46. The release member has a first base end 47 and a second base end 48. On the second base end 48 of the release member 29 is the top surface 33 that is contacted by the pin 32 on the button 27. The release member 29 pivots about pins 34 and 35. The underside 49 of the housing 11 is provided with an opening 50 over a portion of its surface. The underside 51 of the release member 29 may extend a short distance below the surface of the underside 49 of the housing 11 when said tumbler 21 is in a lowered position.

The applicant amends the paragraph starting at line 14 of page 10 to read:

The front wall 12 and the rear wall 13 preferably have one or more retaining pins 53 and 54 that extend outwardly from the exterior surface of the housing members. Similarly, the side walls 14 and 15 of the housing 11 may also have one or more retaining pins 55 and 56 extending therefrom. These pins 53-56 are preferably flexible and give slightly to permit the vent stop to be inserted into the opening in the sash. The gap 57 between the underside [52] 45 of the faceplate 16 and the upper surface of ~~the pin~~ pins 53 and 54 is preferably generally about the thickness of the material used in the sash stile or slightly less. The retaining pins are designed so that when the vent stop is snapped into the opening in the sash the pins will retain the vent stop in position

Application No. 10/623,120

and not be removed easily. The faceplate 16 is preferably formed as a solid one piece member and is configured to project only slightly forward of the front surface of the stile so as not to interfere with the relative sliding movement of the sashes. The faceplate 16 may be provided with a curved outer peripheral edge 58, however it will be appreciated that the outer peripheral edge 58 may be any configuration besides curved as is desired.

The applicant amends the paragraph starting at line 4 of page 11 to read:

The faceplate 16 includes a centrally located generally elongate vertical opening [58] 66 which is in communication with an interior cavity 59 of the housing 11. The tumbler [60] 21 is mounted within the cavity 59 to pivot therein and to lockingly engage the upper exterior surface of the lower sash header as the lower sash header is raised.

The applicant amends the paragraph starting at line 8 of page 11 to read:

The tumbler [60] 21 has a bottom surface 61 and a front face 62. The front face 62 is angled as shown in the Figures to permit the tumbler 21 to easily move from an inactivated to an activated position. The spring 60 preferably has a ring 63 that ~~permit~~ permits the spring [33] 60 to be retained in position by a pin 64 in the underside 65 of the tumbler 21. A preferred type of spring is a leaf spring shown in FIG. [13] 16. However, it will be appreciated by those skilled in the art that other types of springs may be used.

Amendments to Claims

1. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity, formed by a face plate, a front wall, and a rear wall, and [a] first and second ~~sidewall~~ sidewalls joining said front and rear wall and extending from said face plate;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof, said tumbler further including a recessed portion for receiving an end of a spring;

a pivot means for pivotally securing said tumbler to said housing for movement between an extended position where a front face of said tumbler overlies an edge of said non-movable sash member to prevent movement of said sliding sash member past the front face of the tumbler, and a retracted position within said cavity where said sliding sash member can be moved past the tumbler;

said spring is used for biasing said tumbler into said extended position; and

a release member that has a first position wherein said first position allows said tumbler to pivot to said extended position, and a second wherein said second position confines said tumbler in said retracted position, said release member having a first base and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins;

Application No. 10/623,120

and a button, disposed on the face plate of said housing so it is accessible when said housing is disposed in said recess, which when pressed causes said release member to move from said second position to said first position thereby causing said tumbler to be in said extended position.

2. (Previously presented) A window vent stop according to claim 1 wherein the release member pivots.

3. (Currently amended) A window vent stop according to claim 2 wherein ~~said release member has a head and the~~ the tumbler has a tip and wherein ~~the~~ said tumbler is in a ~~lowered~~ the retracted position when ~~said~~ the head of the release member contacts said tip.

4. (Previously presented) A window vent stop according to claim 3 wherein said button has a pin that contacts a face on said release member when said button is pushed.

5-8. (Canceled)

9. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a faceplate and first and second ~~side walls~~ sidewalls extending from said faceplate;

Application No. 10/623,120

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof; said tumbler further including a recessed portion for receiving an end of a spring;

pivot means extending from at least one of said first and second sidewalls for pivotally securing said tumbler to said housing for movement between an extended position, and a retracted position within said cavity;

said spring is used for biasing said tumbler into said extended position; ~~and~~

and a release member wherein said release member allows said tumbler to pivot outwardly to said extended position and pivot inwardly to a retracted position; wherein said release member has a head that contacts said tumbler when said tumbler is in said retracted position and does not contact said tumbler when said tumbler is in said extended position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins.

10-13. (Canceled)

14. (Currently amended) The window vent stop according to claim 9 further comprising at least one retaining member extending from at least one side of said tumbler, where in said retaining member is received by a recess in ~~the said side-wall~~ sidewall of said housing.

15. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a faceplate, a front wall, and a rear wall, and first and second ~~side walls~~ sidewalls extending from said faceplate and connecting said front wall and said rear wall;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof, said tumbler further including a recessed portion for receiving an end of a spring;

a pivot means for pivotally securing said tumbler to said housing for movement between an extended position where a front face of said tumbler overlies an edge of said non-movable sash member to prevent movement of said sliding sash member past the front face of the tumbler, and a retracted position within said cavity where said sliding sash member can be moved past the tumbler;

said spring is used for biasing said tumbler into said extended position;

a pair of retaining members extending from the sides of said tumbler, which dictates the maximum said extended position of said tumbler, wherein said retaining members mesh with a pair of complementary recessed tracks in said ~~side walls~~ sidewalls;

a release member that has a first position wherein said first position allows said tumbler to pivot to said extended position and a second position wherein said second position confines said tumbler in said retracted position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins;

and a button, disposed on the ~~front face~~ faceplate of said housing so it is accessible when said housing is disposed in said recess, which when pressed in a direction perpendicular to the

Application No. 10/623,120

plane of the front face, causes said release member to move from said second position to said first position thereby causing said tumbler to be in said extended position.

16. (Previously presented) A window vent stop according to claim 15 wherein the release member pivots.

17. (Currently amended) A window vent stop according to claim 16 wherein ~~said release member has a head and the~~ the tumbler has a tip and wherein ~~the~~ said tumbler is in a ~~lowered~~ the retracted position when ~~said~~ the head of the release member contacts said tip.

18. (Previously presented) A window vent stop according to claim 17 wherein said button has a pin that contacts a face on said release member when said button is pushed.

19. (Previously presented) A window vent stop according to claim 18 wherein said tumbler can be retracted without depressing the button.

20. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a faceplate, a front wall, and a rear wall, and first and

Application No. 10/623,120

second ~~side walls~~ sidewalls extending from said faceplate and extending from said front wall and said rear wall;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof;

pivot means for pivotally securing said tumbler to said housing for movement between an extended position where a front face of said tumbler overlies an edge of said non-movable sash member to prevent movement of said sliding sash member past the front face of the tumbler, and a retracted position within said cavity where said sliding sash member can be moved past the tumbler;

a spring for biasing said tumbler into said extended position;

a release member that has a first position wherein said first position allows said tumbler to pivot to said extended position and a second position wherein said second position confines said tumbler in said retracted position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins;

and a button, disposed on the ~~front face~~ faceplate of said housing so it is accessible when said housing is disposed in said recess, which when pressed in a direction perpendicular to the plane of the front face, causes said release member to move from said second position to said first position thereby causing said tumbler to be in said extended position, said tumbler may be returned to the retracted position by pressing said tumbler into said housing, without said button being pressed.

Application No. 10/623,120

21. (Previously presented) A window vent stop according to claim 20 wherein the release member pivots.

22. (Currently amended) A window vent stop according to claim 21 wherein ~~said release member has a head and the~~ the tumbler has a tip and wherein ~~the~~ said tumbler is in a ~~lowered~~ the retracted position when ~~said~~ the head of the release member contacts said tip.

23. (Previously presented) A window vent stop according to claim 22 wherein said button has a pin that contacts a face on said release member when said button is pushed.

24. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a faceplate, front wall, and a rear wall, and first and second ~~side walls~~ sidewalls extending from said faceplate and extending from said front wall and said rear wall;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof, said tumbler further including a recessed portion for receiving a spring;

pivot means extending from at least one of said first and second sidewalls for pivotally securing said tumbler to said housing for movement between an extended position, and a retracted position within said cavity;

said spring is used for biasing said tumbler into said extended position;

and a release member wherein said release member allows said tumbler to pivot outwardly to said extended position and pivot inwardly to said retracted position; wherein said release member has a head that contacts said tumbler when said tumbler is in said retracted position and does not contact said tumbler when said tumbler is in said extended position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins.

25. (Currently amended) The window vent stop according to claim 24 further comprising a pair of recessed tracks on either side of said tumbler, wherein said recessed tracks mesh with a pair of complementary protrusions from the first and second ~~side walls~~ sidewalls of the housing.

26. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a face plate, a front wall, and a rear wall, and [a] first and second ~~sidewall~~ sidewalls joining said front and rear wall extending from said face plate;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof, said tumbler further including a recessed portion for receiving an end of a spring;

a pivot means for pivotally securing said tumbler to said housing for movement between an extended position where a front face of said tumbler overlies an edge of a sash stile of the

sliding sash member to prevent movement of the sash stile past the front face of the tumbler, and a retracted position within said cavity where the sash stile can be moved past the tumbler;

said spring is used for biasing said tumbler into said extended position;

a release member that has a first position wherein said first position allows said tumbler to pivot to said extended position and a second position wherein said second position confines said tumbler in said retracted position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins.

27. (Previously presented) A window vent stop according to claim 26 further comprising a button, disposed on the face plate of said housing so it is accessible when said housing is disposed in said recess, which when pressed inwardly causes said release member to move from said second position to said first position thereby causing said tumbler to be in said extended position.

28. (Currently amended) A window vent stop for use with a non-movable sash member, and a sliding sash member comprising:

a housing adapted to be disposed in a recess in said non-movable sash member, said housing including a cavity formed by a face plate, a front wall, and a rear wall, and [a] first and second ~~sidewall~~ sidewalls joining said front and rear wall extending from said face plate;

a tumbler disposed in said cavity, said tumbler including a protruding apex at the top thereof, said tumbler further including a recessed portion for receiving an end of a spring;

a pivot means for pivotally securing said tumbler to said housing for movement between an extended position where a front face of said tumbler overlies an edge of said non-movable sash member to prevent movement of said sliding sash member past the front face of the tumbler, and a retracted position within said cavity where said sliding sash member can be moved past the tumbler;

said spring is used for biasing said tumbler into said extended position;

a release member that has a first position wherein said first position allows said tumbler to pivot to said extended position and a second position wherein said second position confines said tumbler in said retracted position, said release member having a first base end and a second base end and a head in the form of an inverted "U", said release member being in the shape of an inverted "T" and wherein said release member pivots about first and second pins;

and a button which when pressed causes said release member to move from said second position to said first position thereby causing said tumbler to be in said extended position.

29. (Previously presented) A window vent stop according to claim 28 wherein said end of said spring has a ring which receives a protrusion in said recess in said tumbler.

30-31. (Canceled)

Amendments to the drawings

Please replace the drawing represented by Figs. 1-6 with the attached new drawing represented by Figs. 1-6.

Please replace the drawing represented by Figs. 7-11 with the attached new drawing represented by Figs. 7-10.

Please replace the drawing represented by Figs. 12-15 with the attached new drawing represented by Figs. 11-14.

Please replace the drawing represented by Figs. 16-18 with the attached new drawing represented by Figs. 15-17.

Please replace the drawing represented by Figs. 19-27 with the attached new drawing represented by Figs. 18-26.

Please replace the drawing represented by Figs. 28-32 with the attached new drawing represented by Figs. 28-31.

Please replace the drawing represented by Figs. 33-34 with the attached new drawing represented by Figs. 32-33.

REMARKS

Applicant requests that the present application be amended as follows. Attached is a clean copy of the present application with the requested amendments.

Drawings

Applicant has removed all superfluous lettering from the drawings.

In Fig. 2, applicant has added referential character **26** so as to render this figure consistent with the amended specification. In addition, applicant has removed referential characters **52** and **60** from this figure.

In Fig. 4, applicant has added referential characters **16**, **26**, **45**, **53** and **54** to this figure so as to better define the present invention.

In Fig. 5, applicant has added referential characters **16** and **26** and removed referential character **64**.

In Fig. 6, applicant has added referential character **45** so as to better define the present invention. In addition, applicant has removed referential character **63**.

In Fig. 7, applicant has added referential characters **64** and **65** so as to better define the present invention. In addition, applicant has removed referential character **44**, and the directional indicator, designated by letter "D," from this figure. Also, applicant has moved referential character **62** to correctly identify the front face of the tumbler. Finally, applicant has added section line A-A so as to better define the present invention.

Applicant has removed Figure 9 as it is superfluous. The following figures have been renumbered accordingly.

In Fig. 9, applicant has amended the specification so that the drawing represented by

Application No. 10/623,120

Figure 9 is now briefly described as an end view. Thus, cross-sectional shading is no longer required in this figure.

In Figure 10, applicant has removed referential characters **44** and **46** so as to render this drawing consistent with the amended specification.

In Fig. 11, applicant has removed the directional indicators, designated by letters "F" and "G", from this figure.

In Fig. 12, applicant has removed the directional indicator, designated by letter "G", from this figure.

In Fig. 13, applicant has removed the directional indicator, designated by letter "F", from this figure.

In Fig. 16, applicant has removed referential character **39** from this figure and replaced it with referential character **60**. Applicant has added referential character **63** so as to render this drawing consistent with the amended specification.

Figure 17 has been removed as it is superfluous. The remaining figures have been renumbered accordingly.

In Figs. 18, 19, 20, 23, and 26, all directional indicators have been removed from these figures.

In Fig. 20, applicant has added referential characters **27** and **28** so as to render this drawing consistent with the amended specification. Also, applicant has added section line B-B so as to render the drawing consistent with the amended specification.

In Fig. 27, applicant has removed referential character **45**. Also, referential character **26** has been changed to **60**. In addition, applicant has added a lead line to referential character **32**

Application No. 10/623,120

and changed the lead line of referential character 33. Furthermore, applicant has moved referential characters 30 and 31 so as to render the drawing consistent with the amended specification. Moreover, applicant has added referential character 41 to this figure so as to render this drawing consistent with the amended specification.

In Fig. 28, applicant has added referential characters 16 and 49 so as to better define the present invention. Also, applicant has removed the directional indicator, designated by the letter "P."

In Fig. 29, applicant has removed the directional indicator, designated by the letter "O."

In Fig. 30, applicant has added referential characters 49, 59, and 66 so as to better define the present invention.

In Fig. 31, applicant has removed the directional indicator, designated by the letter "P."

Specification

The Examiner has objected to the abstract of disclosure because the release member was not sufficiently described and because the button which actuates the release member is not properly set forth. The applicant has made the appropriate corrections to the abstract of disclosure. In particular, applicant has described the button and has added further disclosure pertaining to the release member. In addition, the ambiguities, associated with the recitation "a retracted position" that was cited by the Examiner have been removed.

The Examiner has objected to the disclosure because of several informalities. Applicant has amended several paragraphs of the disclosure that should correct the informalities as set forth by the Examiner in this office action.

Claim Objections

The Examiner has objected to claims 1-4, 9, and 14-31 because recitations such as “a face plate a front wall and a rear wall and a first and second sidewall” are confusing. Applicant has made the necessary corrections. In particular, this recitation has been amended to read “a face plate, a front wall, and a rear wall, and first and second sidewalls...” In addition, applicant has changed all recitations of the phrase “side walls” to “sidewalls” so that the same terminology is used when referring to the same element. Regarding claims 30 and 31 these claims have been canceled and as such any issues regarding these claims should be considered moot.

35 U.S.C. § 112

Claims 1-4, 9, and 14-31, have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has made the necessary corrections to independent claims 1, 9, 20, 24, 26, and 28, and as any claims depending therefrom should now be allowable. In particular, applicant has amended these claims so that recitations such as “the form of inverted “U” on line 17 of claim 1 has been changed to “the form of an inverted “U”. Recitations such as “the front face of said housing” on line 21 of claim 15 have been changed to “the faceplate of said housing”. Recitations such as “a sash stile” on line 9 of claim 26 have been changed to “a sash stile of the sliding sash member”. Recitations such as “a head” on line 2 of claim 3 have been changed to “said head”. Recitations such as “a lowered position” on line 2 of claim 3 have been changed to “said retracted position”.

35 U.S.C. § 103

The Examiner has rejected claims 1-4, 9, 14, 20-24 and 26-28 under 35 U.S.C. § 103(a)

Application No. 10/623,120

as being unpatentable over Brown in view of Simpson.

The Examiner has rejected claims 1 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Kelly et al. in view of Simpson.

The Examiner has rejected claims 15-19 under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Simpson as applied to claims 1-4, 9, 14, 20-24, and 26-28 above, and further in view of Lindstrom et al.

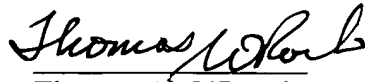
The Examiner has rejected claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Simpson as applied to claims 1-4, 9, 14, 20-24, and 26-28 above, and further in view of Charlton.

Regarding the above rejections, applicant has combined independent claim 1 with all the limitations of dependent claims 30 and 31. Neither Brown, Simpson, Kelly, Lindstrom, nor Charlton either individually or any combination thereof teach or suggest of the applicant's invention and as such the above independent claims and any claims depending therefrom should now be in condition for allowance.

CONCLUSION

For the foregoing reasons, applicant's claims are patentable over the cited prior art and the application should be in condition for allowance.

Respectfully submitted,



Thomas A. O'Rourke

Reg. No.: 27,665

BODNER & O'ROURKE, L.L.P.

425 Broadhollow Road

Melville, New York 11747

(631) 249-7500

Application No. 10/623,120